IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD JULY, 2007 / 12TH ASHADHA, 1929

WP(C).No. 20248 of 2007(I)

PETITIONER:

ACHAMMA, W/O.JACOB,
AGED 47 YEARS, MUTHUPARAKUNNEL,
CAULVARY MOUNT P.O., THANKAMONI VILLAGE,
IDUKKI DISTRICT.

BY ADV. SRI.A.C.DEVASIA
SRI.ANILKUMAR,S,

RESPONDENT:

KERALA STATE HOUSING BOARD,
IDUKKI DIVISION, KATTAPPANA, REPRESENTED BY ITS
EXECUTIVE ENGINEER, HOUSING BOARD OFFICE,
KATTAPPANA.

BY STANDING COUNSEL SRI.A.JAYASANKAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 20248 OF 2007 - I

Dated this the 3rd day of July, 2007

J U D G M E N T

The petitioner is a lessee of a shop room rented out by the Kerala State Housing Board. She has committed default in payment of monthly rent. The accumulated monthly rent admittedly comes to more than Rs.71,888/- as on 11.6.2007. The petitioner and her family were the victims of the Chickun Guniya fever, as a result of which the petitioner was not able to earn enough income to pay the rent. Accordingly, the petitioner approached the Chairman who permitted her to pay an amount of Rs.15,000/- on or before 7.6.2007 and the balance amount in three equal monthly instalments. However, the petitioner could not pay that also, in view of her physical incapacity on account of the affliction. The petitioner seeks indulgence of this Court in the matter of payment of the amounts.

2. Having heard both sides, I am inclined to give the petitioner some time in the matter of payment of arrears. Accordingly, the writ petition is disposed of with

the following directions:-

The petitioner shall pay an amount of Rs.15,000/- (Rupees fifteen thousand only) within one week from today. On payment of that amount, the petitioner shall be put back in possession of the shop room. The petitioner shall pay the balance amount in three equal monthly instalments starting from 1st August, 2007. Every subsequent instalment shall be paid on the first working day of every subsequent month. The petitioner shall also pay current monthly rent in time. If the petitioner complies with the above directions, no coercive proceedings shall be taken for recovery of the amounts due. However, if the petitioner commits default in payment of any of the above said amount, it would be open to the respondents to take back possession of the shop room and also to recover the amount due by appropriate proceedings.

S. SIRI JAGAN,
Judge

Mbs/

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007